

September 2 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. _____

FILED

AUG 28 2009

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

LAW OFFICE OF MARK J. HARTWIG

Mark Hartwig

P.O. Box 2330

Livingston, MT 59047

Telephone: 406/222-7961

VALERIE EMMERSON,

Appellee,

vs.

WALLACE C. WALKER and

RANA RAE WALKER,

Appellees.

NOTICE OF APPEAL

WALLACE C. WALKER and

RANA RAE WALKER,

Appellees,

vs.

S. TUCKER JOHNSON,

Appellant.

NOTICE is given that the Appellant above-named and who is the Third-Party Defendant in that cause of action filed in the Sixth Judicial District Court, in and for the County of Sweet Grass, as Cause No. DV 2007-8, hereby appeals to the Supreme Court of the State of Montana from the final judgment or order entered in such action on the 13th day of July, 2009, and the Notice of Entry of Judgment entered on the 29th day of July, 2009.

//

//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

THE APPELLANT FUTHER CERTIFIES:

1. That this appeal is the subject of the mediation process required by M.R.App. P. 7.
The money judgment being sought is not less than \$5,000.
2. That this appeal is an appeal from an order certified as final under M.R.Civ.P. 54(b).
A true copy of the District Court's certification order is attached hereto as Exhibit "A".
3. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this notice of appeal.
4. That included herewith is the filing fee prescribed by statute.

Dated this 20th day of August, 2009.


MARK J. HARTWIG
Attorney for Appellant

CERTIFICATE OF SERVICE

I herby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

LEANNE SCHRAUDNER
Attorney for Respondents / Appellees
Schraudner & Hillier, PLLC
3825 Valley Commons Dr., Ste. 5
Bozeman, MT 59718

KARL KNUCHEL, P.C.
KARL KNUCHEL
116 West Callender
P.O. Box 953
Livingston, MT 59047

1 *Attorney for Petitioner / Appellee*

2 DEANNA NOVOTNY

3 Clerk of District Court

4 Sweet Grass County

5 200 W. 1st

6 P.O. Box 698

7 Big Timber, MT 59011-0698

8 
Name Lindsay Counts

9 116 W. Callender, Livingston, MT
Address

10 Legal Assistant
Title